



Juvenile Record Confidentiality (Senate Bills 681, 682)

We, at Student Advocacy Center of Michigan, strongly support legislation to improve the confidentiality of juvenile records and minimize their impact on later life. According to a study done by the Juvenile Law Center, Michigan ranks in the bottom six states for confidentiality protections of youth records. While most states have some guarantee of non-public records for youth, Michigan does not. Youth records are available upon request from the adjudicating court, and in some cases, a youth's court date, time, and hearing location are accessible online.

Research confirms that having a publicly accessible record is a hindrance to future employment. The use of juvenile records in the hiring process has not only the short term effect of limiting a youth's employment possibilities, but also long term effects such as lower rates of employment through adulthood. These practices also reinforce racial biases, by negatively impacting youth of color with records at disproportionately higher rates than white youth. A juvenile record can also bar a youth from certain licenses required for professional employment or joining the military.

Juvenile records not only contribute to youth unemployment but also lower a youth's chances of obtaining higher education. Most universities utilize the Common Application, which includes a question regarding criminal records. Due to this, individuals with a record may not consider applying to begin with, or may falsely claim they do not have a record, under the impression their youth record is sealed. Additionally, a juvenile record may impact a youth's ability to obtain financial aid, creating further obstacles to higher education.

Although most youth are eligible for setting aside the record of their juvenile adjudications, there are significant barriers to completing the application process. Many people believe a youth's juvenile record is automatically sealed once they complete their court-ordered sanctions or once the youth turns 18, however, this is not the case. The current application process to have a juvenile adjudication set aside is convoluted, confusing, and costly. Many youth and their families do not have the time or money to take on the task of setting aside a youth record. The proposed legislation will streamline the process by providing an automatic set aside after a specified period of time, in addition to strengthening protections for juvenile record confidentiality.

Now is the time for Michigan to join the 44 other states already providing protections for juvenile records and set-asides. For the reasons stated above, we strongly support the proposed legislation to improve juvenile record confidentiality.

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